

HOUSE BILL 3408

By Shepard

AN ACT to amend Tennessee Code Annotated, Title 10;
Title 45; Title 47, Chapter 18; Title 62 and Title 63,
relative to consumer protection.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, is amended by adding the following language as a new, appropriate designated part:

47-18-5601. This part shall be known as the "Electronic Privacy Act of 2012".

47-18-5602.

(a) If a person contracts with, or otherwise provides personal information to, a business entity engaged in business in this state, then such person shall have the right to demand that the business entity delete such provided personal information at the person's written request.

(b) Within sixty (60) days of receipt of the written request described in subsection (a), a business entity shall delete the provided personal information from all records, electronic or otherwise, unless the retention of such personal information is otherwise required by law. If the business entity is required by law to retain the provided personal information, then the business entity shall communicate such reason for retention of the personal information in writing to the person within thirty (30) days of receipt of the written request described in subsection (a).

47-18-5603. A violation of this part constitutes a violation of the Tennessee Consumer Protection Act, compiled in part 1 of this chapter; provided that, a violation of this part is punishable by a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000).

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.